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REMARKS

Claims 17, 20, 21, 24 and 26 as amended, remain herein.

Applicants appreciate the statements in the Office Action that claims 21 and 26 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the independent claim and any intervening claims, and that claim 24 would be allowable if rewritten to include all of the limitations of the independent claim and any intervening claims.

Editorial changes have been made in claims 17, 20, 21, 24 and 26. Claims 18, 19, 22, 23, 25 and 27-30 have been cancelled without prejudice or disclaimer.

Claim 17 has been amended to recite the subject matter of claim 19. Claim 17 also has been amended to recite a portion of the outer wall of the frame body includes a first one of the yokes, and the frame body includes an open side opposite a side where the disk is located and an inside portion including screwing margins and screws for attaching the first yoke to the open side. See Fig. 1 showing yoke 29 on an open side opposite

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a side where disk 21 is located, while yoke 30 is on the same side as disk 21.

Claims 20, 24 and 26 have been amended to depend from claim 17, claim 24 has been amended to recite the subject matter of canceled claim 23, and claim 26 has been further amended to recite the subject matter of canceled claim 22.

The Abstract has been edited.

1. Claims 18-22, 26, 29 and 30 were rejected under 35 U.S.C. §112, second paragraph. Claims 18, 19, 22, 26, 29 and 30 have been cancelled, thereby mooting their rejection, and claim 21 has been amended to moot the rejection. Antecedent bases in claims 20 and 21 are now clear. Reconsideration and withdrawal of the rejection are respectfully requested.

2. Claims 17, 18 and 28 were rejected under 35 U.S.C. §102(b) over Lin U.S. Patent 6,125,016. Claims 18 and 28 have been cancelled, thereby mooting their rejection.

The presently claimed disk device includes a frame body having an outer wall, a recording disk located for rotation

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inside the frame body, a recording and reproducing head, an actuator for driving the head for recording and reproducing information on and from the disk. The actuator includes a voice coil motor including a pair of yokes opposed to each other with a predetermined distance therebetween, a movable coil wound to be movable between the yokes, and a permanent magnet attached to at least one of the yokes to add a magnetic field to the movable coil, wherein a portion of the outer wall of the frame body includes a first one of the yokes, and the frame body includes an open side opposite a side where the disk is located and an inside portion including screwing margins and screws for attaching the first yoke to the open side, as recited in claim 17. This arrangement is nowhere disclosed or suggested in the cited reference.

The Office Action cites Lin '016 as allegedly disclosing yoke 48 forming a part of an outer wall of the frame body. However, Lin '016, Fig. 1, shows yoke 48 located on a side where disk 22 is located and yoke 50 on a side opposite disk 22. Lin '016 does not disclose the frame body including an open side opposite a side where the disk is located and an inside portion

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including screwing margins and screws for attaching the first yoke to the open side.

For the foregoing reasons, Lin '016 fails to disclose all elements of applicants' claimed invention, and therefore is not a proper basis for rejection under §102. And, there is no disclosure or teaching in Lin '016 that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

3. Claims 17, 18, 22, 23 and 27-30 were rejected under 35 U.S.C. §102(e) over Brown U.S. Patent 6,304,421, and claims 19, 20 and 25 are rejected under 35 U.S.C. §103(a) over Brown '421. Claims 18, 19, 20, 22, 23, 25 and 27-30 have been cancelled, thereby mooting their rejection.

The presently claimed disk device includes a disk and a portion of an outer wall of a frame body including a first one of yokes, wherein the frame body includes an open side opposite a side where the disk is located and an inside portion including

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screwing margins and screws for attaching the first yoke to the open side. This arrangement is nowhere disclosed or suggested in the cited reference.

The Office Action cites Brown '421 as allegedly disclosing top yoke 124 and bottom plate 128 both located on a side of the frame where disk 110 is located. Brown '421 does not disclose the frame body including an open side opposite a side where the disk is located and an inside portion including screwing margins and screws for attaching the first yoke to the open side.

For the foregoing reasons, Brown '421 fails to disclose all elements of applicants' claimed invention, and therefore is not a proper basis for rejection under §102. And, Brown '421 does not contain any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary skill in the art to anticipate or suggest applicants' presently claimed invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

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All claims 17, 20, 21, 24 and 26 are now proper in form and patentably distinguished over all grounds of rejection stated in the Office Action. Accordingly, allowance of all claims 17, 20, 21, 24 and 26 is respectfully requested.

Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representatives.

Respectfully submitted,

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